

Permit No.

Application No. AZ0020486

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended,
(33 U.S.C. 1251 et. seq; the "Act"),

SPUR INDUSTRIES

is authorized to discharge from a facility located at **SAN TAN, ARIZONA** which is
Approximately 14 miles SE of Chandler, ARIZONA on Highway 87.

to receiving waters named **unnamed irrigation channel tributary to the**
Gila River located south of the facility within NW 1/4
Section 29 Range 6E Township 3S, G & SR, B & M.

(Discharge Serial Number 001: Animal Confinement Facility Runoff)

in accordance with effluent limitations, monitoring requirements and other conditions set forth
in Parts I, II, and III hereof.

This permit shall become effective on

This permit and the authorization to discharge shall expire at midnight,

JUNE 30, 1979

Signed this day of

A. Effluent limitations and Monitoring Requirements

1. Effluent Limits (Discharge Prohibitions)

- a. During the period beginning *the effective date of this permit* and lasting through *June 30, 1979* the permittee shall not discharge process wastewater pollutants to navigable waters except overflow from facilities as defined in b. below.
- b. Facilities mean waste control facilities designed and constructed to contain the runoff from *2.75* inches of rainfall within 24 hours ~~and~~ ~~gallons of process generated wastewater~~ and operated in a reasonable manner to maintain a state of availability to contain runoff from recurring or subsequent precipitation.

2. For the purposes of this permit the gage station used to monitor rainfall shall be that operated by the National Weather Service and located at *CASA GRANDE, ARIZONA Weather Service Station*

The permittee may establish a gage station at his facility, in which case he shall record rainfall on a daily basis. A National Weather Service Standard Rain Guage shall be used.

3. Not later than 10 days after any discharge from the permittee's facility to the waters of the United States, the permittee shall submit to the *DIRECTOR OF HEALTH* the following information:

- a. The description and cause of the discharge,
- b. The date, time and duration of discharge,
- c. Actions taken to reduce, eliminate or prevent recurrence of the discharge and;
- d. The rainfall, in inches per day for each day which contributed to or caused the discharge.

B. Schedule of Compliance

1. BY FEBRUARY 1, 1975, the Permittee shall provide in writing, certification that the facility described in this permit is designed to contain the runoff from 2.75 inches of rainfall within any 24 hour period.

That certification shall include:

- a. The number of acres actually used for animal confinement including acreage utilized for manure storage as well as the total number of acres under control of the permittee at the location.
- b. If adjacent land area is utilized for disposal of wastewater the following information shall be supplied:
 - (1) The number of acres actually used for disposal
 - (2) The slope of the disposal area
 - (3) The proximity to any waterway or intermittent wash, and
 - (4) A complete description of any irrigation on the disposal site

220295
4

c. If a retention facility or lagoon is constructed or utilized the following information shall be supplied:

- (1) The size of the retention facility or lagoon
- (2) Any assumptions used in sizing such as percolation rates, evaporation rates, etc.
- (3) Any calculations used to determine the size of the retention facility

The DIRECTOR shall review the certification provided by the permittee. If the present facilities and operation practices are determined to be insufficient to meet the permit conditions, the permittee shall be so notified. The permit would then be modified to include an implementation schedule to modify the facility and/or operation practices. If the present facilities and operation practices are determined to be sufficient the permittee shall be so notified.

C. MONITORING AND REPORTING

1. Reporting

Monitoring results obtained during the previous 12 months shall be summarized for each month and reported on a Discharge Monitoring Report Form postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on JUNE 1, 1975. The report shall contain a summary of discharge if any, and rainfall records if the permittee utilizes his own gage. Duplicate signed copies of these and other reports required herein shall be provided to the Regional Administrator and the Director at the following address:

Regional Administrator
Environmental Protection Agency
Region IX, ENCMR
100 California Street
San Francisco, California 94111

HAWAII STATE HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION & HEALTH SERVICES DIV.
1250 PUNCHBOWL ST.
Hon. Hawaii. 96813

2. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

a. The exact place, date, and time of ~~sampling~~ ^{measurement};

b. The dates the ~~analyses~~ ^{measurement} were performed;

c. The person(s) who performed the ~~analyses~~ ^{measurement};

- d. The analytical techniques or methods used; and
- e. The results of all required ~~analyses~~ *measurements*

3. *Records Retention*

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the *DIRECTOR*

A. MANAGEMENT REQUIREMENTS

1. *Change in Discharge*

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. *Facilities Operation*

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

3. *Adverse Impact*

The permittee shall take all reasonable steps to minimize any adverse impact to navigable waters resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. *Bypassing*

Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the
DIRECTOR in writing of each such diversion or bypass.

5. *Removed Substances*

Solids, sludges, liquid waste, or other pollutants removed in the course of control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters of the United States.

B. RESPONSIBILITIES

1. *Right of Entry*

The permittee shall allow the DIRECTOR, THE Regional Administrator, and/or their authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

2. *Transfer of Ownership or Control*

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the DIRECTOR

3. *Availability of Reports*

Except for data determined to be confidential under Section 308 of the Act, all reports prepared in accordance with the terms of this permit shall be available for public

inspection at the offices of the State water pollution control agency and the ~~DIRECTOR~~ as required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act.

4. *Permit Modification*

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

5. *Toxic Pollutants*

Notwithstanding Part II, B-4 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. *Civil and Criminal Liability*

Except as provided in permit conditions on "Bypassing" (Part II, A-5) and "Power Failures" (Part II, A-7), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. *Oil and Hazardous Substance Liability*

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. *State Laws*

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

9. *Property Rights*

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. *Severability*

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

PART III

OTHER REQUIREMENTS

A. Reapplication:

The permittee shall reapply for a permit not later than 180 days before this permit expires on the application forms then in use.

OPTIONAL REQUIREMENTS

Part Holding Pond Conditions

If any waste waters from the permittee's facility are placed in ponds, such ponds shall be located and constructed so as to:

- a. Contain with no discharge the once-in-one-hundred years storm at said location;
- b. Withstand with no discharge the once-in-one-hundred years flood of said location;
- c. Prevent escape of wastewater by leakage.

Part Chemical Additives

The permittee shall submit to the Regional Administrator by January 30 of each year, an annual summary of the quantities of all chemicals, listed by both chemical and trade names, which are used for cooling and/or boiler water treatment and which are discharged.

Part Toxicity Requirements

The survival of in 96 hour static bioassays of the effluent, as discharged, shall for any one determination equal or exceed 80% of the test fish. The average survival for any three (3) or more consecutive determinations shall equal or exceed 90% of the test fish.

Part Discharge Prevention Plan

Within 90 days from the effective date of this permit, the permittee shall prepare and submit to the Regional Administrator and DEPT. OF HEALTH, a Discharge Prevention Plan for the facility covered by this permit. Such plan shall contain information and procedures relative to the prevention of unplanned discharges of pollutants, including:

- a. A description of the reporting system which will be used to alert responsible facility management and appropriate legal authorities;
- b. A description of preventive facilities (including overall facility plot) which prevent, contain, or treat unplanned discharges;

- c. A brief description of recent unplanned discharges, their frequency, and the measures taken to prevent recurrence; and,
- d. A schedule of compliance for additional facilities which might be required for b. above, but which are not yet operational.

The permittee shall implement and comply with the provisions of such Plan after the Plan has been approved by the DIRECTOR OF HEALTH, including in said implementation and compliance any additions or modifications which the DIRECTOR OF HEALTH may make in approving the Plan.

Discharge Elimination (If this condition is used, insert without heading on first page as I.A.5. and renumber others)

All discharge of pollutants to the waters of the United States from discharge(s) shall be eliminated by

Part Uncontrollable Discharges

Should there be a discharge for reasons such as an act of God, war, strike, or for any other cause outside the reasonable control of the permittee, the following conditions shall apply:

Part Settleable Solids Limitation

The effluent shall not contain settleable solids in excess of a 30 consecutive day average of 0.1 ml/l or a daily maximum of 0.2 ml/l at any time.

Part Odor Limitation

The discharge shall not cause objectionable odors at the surface of the receiving waters.

Part

Soil Moisture Monitoring

The permittee shall, by submit to the DIRECTOR OF HEALTH a plan for monitoring soil moisture and water quality of soil moisture beneath each impermeable pond or an alternative plan which would demonstrate the continuing effectiveness of measures taken to prevent the percolation of wastewater from each pond into the underlying soil. The plan shall include:

- a. Description of equipment and installation of the equipment required for monitoring;
- b. Location of sampling sites; and may include
- c. Analysis of soil moisture extracts for total dissolved solids and chlorides.

The permittee shall implement the plan upon approval of the DIRECTOR OF HEALTH including in such implementation any additions or modifications which the DIRECTOR OF HEALTH may make in approving the plan.

Part

Interim Effluent Limitations

After review of effluent monitoring representing at least one year of discharge from the permittee's facility, the DIRECTOR will, upon due notice, revise this permit to establish interim effluent limitations. Such revision of this permit may also include a schedule of compliance for an abatement program, or other appropriate conditions, to achieve the interim limitations.

Part

Operation and Maintenance

Within three months of the effective date of this permit, the permittee shall provide to the DIRECTOR OF HEALTH, a plan outlining the immediate operation and maintenance actions that will be taken by the permittee to assure achievement of optimum effluent quality from the existing facility at the earliest possible date. Upon review and certification by the REGIONAL ADMINISTRATOR AND APPROVAL BY THE DIRECTOR OF HEALTH, the actions contained in the plan shall become a condition of this permit.

Growth-related Conditions

NOTE

TO

DRAFTER:

((Note that rapid growth areas generally will have discharge flow rates which increase 3% per year or more, or which have exceeded 85% of the design flow and probably will exceed 100% of design flow.))

Part

Growth-Related Conditions

a. Restriction of New Connections

Should there be a violation of any condition of this permit the DIRECTOR pursuant to Section 402(h) of the Act may proceed in a court of competent jurisdiction to restrict or prohibit further connections to the permittee's treatment works by any sources not utilizing the treatment works prior to the finding that such a condition was violated.

NOTE (("Initial Planning Actions" and "Comprehensive Planning and Management Systems" sub-sections (below) to be used in rapid-DRAFTER: growth areas with populations of over 10,000.))

b. Initial Planning Actions

Not later than one year from the effective date of this permit the permittee shall submit to the Regional Administrator and DEPT OF HEALTH a report on progress in the development of a long-range plan which will assure the prevention of hydraulic overload or inadequate treatment capacity of the permittee's treatment works. The report shall be revised and submitted to the DIRECTOR OF HEALTH not less frequently than at twelve month intervals thereafter.

The long-range plan shall include but is not limited to the following considerations:

1. a land use and pollution strategy to achieve a balance between increased wasteload generation and treatment capacity;
2. community review of developments which increase wasteload generation such as subdivision approvals, building permits and zoning changes; and,
3. development of local legal authority to enact ordinances, amend zoning regulations, modify subdivision requirements and building codes, or other appropriate measures to assure the prevention of hydraulic overload or inadequate treatment capacity.

c. Comprehensive Planning and Management System

Not later than 180 days from the effective date of this permit the permittee shall submit to the Regional Administrator and DEPT OF HEALTH a schedule of anticipated new extensions and connections of new sources of wasteload to the permittee's treatment works for the period ending with the expiration date of this permit.

The schedule shall be consistent with applicable land use plans, open space plans, zoning maps, capital improvement budgets, and other appropriate planning and management constraints. Beginning not later than one year after submittal of the schedule, the permittee shall submit to the Regional Administrator and ~~DEPT~~ ^{OF HEALTH} an annual report which contains revisions of the schedule, if any, and compares the rate of actual extensions and connections with the schedule.

In addition to the above, not later than 180 days from the effective date of this permit the permittee shall initiate a program of public notice including quarterly summary reports which inform users of the permittee's treatment works and local government officials of the extent of compliance achieved with the conditions of this permit. The proposed program of public notice shall be submitted to the Regional Administrator and ~~DEPT OF HEALTH~~ before initiation of the program. Thereafter, the permittee shall initiate the program upon approval of the Regional Administrator including in said implementation any additions or modifications which the ~~...~~ ^{DIRECTOR} may make in approving the program.

NOTE
TO
DRAFTER:

((Possibilities To Be Considered in Establishing Effluent Limitations for Rapid Growth Facilities:

1. base limitations upon design flow rate, to force increased removal efficiency through improved operational performance;
2. base limitations upon existing overload flow rate, to allow no additional aggregate growth (this assumes wasteload allocation or installation of interim treatment facilities by permittee);
3. base limitations upon annually increasing steps.))

Part

Combined Sewer Discharge Conditions

a. Report On Maximum Treatable Flow Rates

Not later than six (6) month from the effective date of this permit the permittee shall submit to the Regional Administrator and ~~DEPT. OF HEALTH~~ a report describing the maximum treatable flow rates for the permittee's treatment works, or for each complete unit process in the permittee's treatment works. The report shall include the basis used to determine each

maximum treatable flow rate, as well as for each calendar month the flow rates which can be treated prior to a combined sewer discharge or bypass.

The permittee may submit in lieu of the above a detailed preliminary operational plan designed to minimize the discharge of pollutants from permittee's treatment works by a combined sewer discharge or bypass.

The permittee shall implement and comply with the provisions of such plan after the plan has been approved by the DIRECTOR, including in said implementation and compliance any additions or modifications which the DIRECTOR may make in approving the plan.

b. . Interim Operational Plan

Not later than two (2) years from the effective date of this permit the permittee shall submit to the Regional Administrator and DEPT OF HEALTH an interim operational plan designed to minimize the discharge of pollutants from combined sewer discharges or bypasses. Such plan shall include, but not be limited to:

1. an improved estimate of the maximum treatable flows provided in the report required in above;
2. a listing, if applicable, of the number, location, types and kinds of flow regulators used, and their respective operating history, maintenance program and performance history;
3. the storage capacity of the sewer system upstream from all control devices, pump stations, flow regulators, or combined sewer discharges;
4. operational procedures for utilizing the maximum feasible percentage of the available storage capacity prior to any combined sewer discharges or bypasses; and,
5. an operational method to determine if the upstream storage capacity was utilized prior to any combined sewer discharges or bypasses.

The permittee shall implement and comply with the provisions of such plan after the plan has been approved by the DIRECTOR, including in said implementation and compliance any additions or modifications which the DIRECTOR may make in approving the plan.

c. Combined Sewer System Monitoring

After from the effective date of this permit, the permittee shall record for each discharge or bypass point in the treatment works the location, cause, duration, frequency, peak flow rate and method of discharge. Adequate records of the rainfall associated with each combined sewer discharge or bypass shall also be recorded. Such information shall be included in the Discharge Monitoring Report required by Condition . Upon receipt and review of such information, and after due notice to the permittee the DIRECTOR may require monitoring of combined sewer discharges.